

REMARKS

I. Miscellaneous Matters

In Section 2 of the Office Action, the Examiner states that an application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification or in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)); and that the specific reference to any prior nonprovisional application must include the relationship (i.e., continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number.

The Examiner does not specifically point out any deficiencies in Applicants' specification with respect to this point.

Applicants note that on the Filing of Continuation submitted in this application and having an Express Mail Certificate date of March 12, 2004, and specifically in Section 8 entitled "Related Back – 35 U.S.C. 120" Applicants requested the Office to amend the specification by inserting before the first line the sentence:

This is a continuation of copending application(s) serial no. 10/353,222, filed January 28, 2003; which is a continuation of serial no. 10/178,993, filed June 25, 2002 (now U.S. Patent No. 6,562,322); which is a continuation of serial no. 09/334,844, filed June 16, 1999 (now U.S. Patent No. 6,464,964); which is a continuation of serial no. 08/933,807, filed September 19, 1997 (now U.S. Patent No. 5,965,112); which is a divisional of serial no. 08/599,400 filed January 5, 1996 (now U.S. Patent No. 5,800,816), which is a continuation of serial no. 08/328,992, filed October 25, 1994, now abandoned.

Some updates to the most recent continuation applications recited above are necessary. Accordingly, Applicants have amended the specification to reflect the correct status of each of the continuations and otherwise correct any typographical errors.

II. Obviousness Type Double Patenting

Claims 20-33 are pending in the application. A variety of double patenting rejections are made under the judicially created doctrine of obviousness type double patenting, as follows.

1. Claims 20, 23, 24, and 29-33: are rejected over the judicially created doctrine of obviousness type double patenting as unpatentable over claims 1-5, 9, 18, and 19 of U.S. Patent No. 5,800,816.

2. Claims 20, 23, 25, 27, and 28-33: are rejected under the judicially created doctrine of obviousness type double patenting as unpatentable over claims 1-4, 8, and 10 of U.S. Patent No. 5,965,112.

3. Claims 20, 23-26, and 29-33: are rejected under the judicially created doctrine of obviousness type double patenting as unpatentable over claims 1 and 7-9 of U.S. Patent No. 6,464,964B1.

4. Claims 20-6 and 29-33: are rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-5, 11 and 13 of U.S. Patent No. 6,780,422B2.

Terminal disclaimers are submitted that disclaim the terminal portions of any patent granted on the above referenced application which extends beyond the term of the patents recited in (1)-(4), above.

The Examiner is respectfully requested to reconsider the obviousness type double

patenting rejections and reconsider patentability of the claims.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Julie Blackburn', with a long horizontal flourish extending to the right.

Julie Blackburn

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